

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

April 3, 2019

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB19-008 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 5, strike lines 1 through 9.

2 Renumber succeeding sections accordingly.

3 Page 9, after line 21 insert:

4 "SECTION 5. In Colorado Revised Statutes, **add** part 9 to article  
5 20.5 of title 25 as follows:

6 PART 9

7 HARM REDUCTION GRANT PROGRAM

8 **25-20.5-901. Harm reduction grant program - creation -**  
9 **application - permissible uses - department duties.** (1) SUBJECT TO  
10 AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL DEVELOP AND  
11 IMPLEMENT A HARM REDUCTION GRANT PROGRAM, REFERRED TO IN THIS  
12 SECTION AS THE "GRANT PROGRAM", TO REDUCE HEALTH RISKS  
13 ASSOCIATED WITH DRUG USE AND IMPROVE COORDINATION BETWEEN LAW  
14 ENFORCEMENT AGENCIES, PUBLIC HEALTH AGENCIES, AND  
15 COMMUNITY-BASED ORGANIZATIONS. THE DEPARTMENT MAY CONTRACT  
16 WITH AN INDEPENDENT ENTITY FOR THE ADMINISTRATION OF THE GRANT  
17 PROGRAM.

18 (2) TO BE ELIGIBLE TO RECEIVE GRANT FUNDING PURSUANT TO  
19 THIS PART 9, AN ENTITY MUST BE A NONPROFIT ORGANIZATION IN GOOD  
20 STANDING AND REGISTERED WITH THE FEDERAL INTERNAL REVENUE  
21 SERVICE AND THE COLORADO SECRETARY OF STATE'S OFFICE, A LOCAL  
22 PUBLIC HEALTH AGENCY ESTABLISHED PURSUANT TO SECTION 25-1-506,  
23 OR A LAW ENFORCEMENT AGENCY. GRANTEES MUST BE WILLING TO

1 PROVIDE SERVICES TO INDIVIDUALS WHO MAY NOT BE READY TO SEEK  
2 ADDICTION TREATMENT SERVICES OR WHO ARE IN RECOVERY.

3 (3) ON OR BEFORE NOVEMBER 1, 2019, THE DEPARTMENT SHALL  
4 DEVELOP:

5 (a) ELIGIBILITY CRITERIA FOR NONPROFIT ORGANIZATIONS, LOCAL  
6 PUBLIC HEALTH AGENCIES, AND LAW ENFORCEMENT AGENCIES;  
7 (b) THE GRANT APPLICATION PROCESS AND SCHEDULE;  
8 (c) A PROCESS FOR DETERMINING THE AMOUNT OF EACH GRANT  
9 THAT IS AWARDED; AND  
10 (d) THE PERFORMANCE METRICS AND DATA COLLECTION REQUIRED  
11 OF GRANTEEES.

12 (4) (a) PERMISSIBLE USES OF FUNDING PROVIDED PURSUANT TO  
13 THIS GRANT PROGRAM INCLUDE, BUT ARE NOT LIMITED TO:

14 (I) TRAININGS RELEVANT TO THE FIELD OF HARM REDUCTION,  
15 WHICH MAY INCLUDE HOW TO ADMINISTER NALOXONE;  
16 (II) PURCHASING AND PROVIDING STERILE EQUIPMENT AND  
17 SYRINGE DISPOSAL EQUIPMENT;  
18 (III) PROVIDING DIRECT SERVICES TO PERSONS WHO HAVE COME  
19 INTO CONTACT WITH OR WHO ARE AT RISK OF COMING INTO CONTACT WITH  
20 THE CRIMINAL JUSTICE SYSTEM, WHICH MAY INCLUDE ACCESSING  
21 TREATMENT AND HEALTH CARE SERVICES, OVERDOSE PREVENTION  
22 ACTIVITIES, AND RECOVERY SUPPORT SERVICES;  
23 (IV) OUTREACH AND ENGAGEMENT TO PEOPLE WHO COME INTO  
24 CONTACT WITH OR WHO ARE AT-RISK OF COMING INTO CONTACT WITH THE  
25 CRIMINAL JUSTICE SYSTEM AND WHO ARE IN NEED OF MENTAL HEALTH OR  
26 SUBSTANCE USE DISORDER SERVICES;  
27 (V) FACILITATING COMMUNICATION, TRAINING, AND TECHNICAL  
28 ASSISTANCE AMONG LAW ENFORCEMENT AGENCIES, PUBLIC HEALTH  
29 AGENCIES, AND COMMUNITY-BASED HARM REDUCTION AGENCIES;  
30 (VI) COORDINATING LOCAL EFFORTS REGARDING CO-RESPONDER  
31 AND DIVERSION PROGRAMS; AND  
32 (VII) AURICULAR ACUDETTOX TRAINING AND SERVICES.

33 (b) IN ORDER TO ENSURE GRANTEEES ARE COORDINATING EFFORTS  
34 ACROSS PUBLIC HEALTH AND CRIMINAL JUSTICE SYSTEMS AT THE LOCAL  
35 LEVEL, FUNDING MAY BE USED TO SUPPORT A HARM REDUCTION AND LAW  
36 ENFORCEMENT LIAISON WHO HAS EXPERIENCE WORKING WITH  
37 COMMUNITY-BASED ORGANIZATIONS, LOCAL PUBLIC HEALTH AGENCIES,  
38 AND LAW ENFORCEMENT AGENCIES.

39 (5) THE DEPARTMENT SHALL NOT AWARD ANY GRANT MONEY IN  
40 EXCESS OF THE AMOUNT IN THE HARM REDUCTION GRANT PROGRAM CASH  
41 FUND CREATED PURSUANT TO SECTION 25-20.5-902.

1           **25-20.5-902. Harm reduction grant program cash fund -**  
2 **creation.** (1) THE HARM REDUCTION GRANT PROGRAM CASH FUND,  
3 REFERRED TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE  
4 TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY  
5 MAY APPROPRIATE OR TRANSFER TO THE FUND.

6           (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
7 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
8 FUND TO THE FUND.

9           (3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
10 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR  
11 THE PURPOSES OF THIS PART 9.

12           (4) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED  
13 AND UNENCUMBERED MONEY IN THE FUND ON SEPTEMBER 1, 2024, TO THE  
14 GENERAL FUND.

15           **25-20.5-903. Rules.** THE DEPARTMENT MAY PROMULGATE RULES  
16 AS NECESSARY FOR THE IMPLEMENTATION OF THIS PART 9.

17           **25-20.5-904. Repeal of part - sunset review.** THIS PART 9 IS  
18 REPEALED, EFFECTIVE SEPTEMBER 1, 2024. BEFORE ITS REPEAL, THE  
19 DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE GRANT  
20 PROGRAM IN ACCORDANCE WITH SECTION 24-34-104.

21           **SECTION 6.** In Colorado Revised Statutes, 24-34-104, **add**  
22 (25)(a)(XX) as follows:

23           **24-34-104. General assembly review of regulatory agencies**  
24 **and functions for repeal, continuation, or reestablishment - legislative**  
25 **declaration - repeal.** (25) (a) The following agencies, functions, or both,  
26 are scheduled for repeal on September 1, 2024:

27           (XX) THE HARM REDUCTION GRANT PROGRAM CREATED IN  
28 SECTION 25-20.5-901."

29 Renumber succeeding sections accordingly.

30 Page 9, line 26, strike "ALLOW" and substitute "HAVE A POLICY IN PLACE  
31 ON OR BEFORE JANUARY 1, 2020, THAT DESCRIBES HOW".

32 Page 10, line 1, strike "TO BE PROVIDED, AS" and substitute "WILL BE  
33 PROVIDED, WHEN".

34 Page 10, strike lines 13 through 17.

35 Renumber succeeding subsection accordingly.

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